

Panaji, 17th July, 1994 (Ashada 26, 1917)

SERIES II No. 15

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

No. 2

GOVERNMENT OF GOA

Finance (Rev. & Cont.) Department

Notification

No. 5/2/93-Fin. (R&C) (A)

In exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956) (hereinafter called the "said Act"), and all other powers enabling it in this behalf, the Government of Goa, being satisfied that it is necessary so to do in public interest, hereby amends, with immediate effect, the Government Notification No. 5/4/87-Fin (R&C) (2) dated 20th April, 1987, published in Official Gazette No. 4 Series II dated 23-4-1987 (hereinafter called the "said Notification"), as follow, namely:—

In the said Notification:-

(i) after first paragraph and before the proviso, the following paragraph shall be inserted, namely:—

"Notwithstanding anything contained hereinabove but subject to other provisions hereinafter stated, any Small Scale Industry set up on or after the first day of October, 1991, and which has not gone into production and has not effected any sale of goods manufactured, processed or assembled by it on any date prior to the first day of October, 1991, shall be entitled for the benefit of exemption for a period of 15 years or upto the reaching of a tax liability amount equal to the capital cost of the industry invested in land, building and machinery only, whichever is later.";

(ii) in clause (iv) of the proviso, the following shall be added, namely:—

"The Assessing Authority may, however, dispense with the production of the said certificate if he is satisfied from other evidence adduced that the industry has actually been in the production during the relevant period and the sale of goods manufactured, processed or assembled by such industry have been duly claimed in the quarterly returns filed as per the provisions of the said Act, within the time limit prescribed.";

(iii) after the existing proviso, the following proviso shall be added, namely:—

"Provided further that considering the nature of process carried out by any of the industries so declared to be of the high polluting-nature, the State Government may, on the advice of the State Pollution Control Board that the process carried out by such industry is pollution free, extend the benefit of exemption to such industry for such period and on such conditions as it may deem fit."

By order and in the name of the Governor of Goa.

S. V. Madkaikar, Under Secretary (Fin-Exp).

Panaji, 14th July, 1995.

Notification

No. 5/2/93-Fin (R&C)(B)

In exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956) (hereinafter called the "said Act"), and all other powers enabling it in this behalf, the Government of Goa, being satisfied that it is necessary so to do in public interest, hereby amends, with immediate effect, the Government Notification No. 5/4/87-Fin(R&C)(1) dated 20th April, 1987, published in Official Gazette No. 4 Series II dated 23-4-1987 (hereinafter called the "said Notification"), as follows, namely:—

In the said Notification.—

(i) after first paragraph and before proviso, the following paragraph shall be inserted, namely:—

"Notwithstanding anything contained hereinabove but subject to other provisions hereinafter stated, any Medium/Large Scale Industry set up on or after the first day of October, 1991, and which has not gone into production and has not effected any sale of goods manufactured, processed or assembled by it on any date prior to the first day of October, 1991, shall be entitled to the benefit of exemption for a period of 12 years or till the reaching of a tax liability amount equal to the capital cost of the industry invested in land, building and machinery only, whichever is later.";

(ii) in the proviso, after clause (iii), the following clause shall be inserted, namely:—

“(iiiA)— In the case of Large Scale Industry enjoying the benefit of five year exemption under entry 85 of the second schedule appended to the Goa Sales Tax Act, 1964 (Act 4 of 1964), as it stood immediately prior to 1-10-1991, it shall continue to enjoy the exemption for the balance of the unexpired period of five years and on expiry of such period of five years, if the expiry date falls on or after 1-10-1991 and the industry has made substantial addition to the fixed assets during the period from 1-10-1991 to expiry of exemption, of not less than 75% of the value of fixed assets as on the date of production, for a further period of five years from such expiry date”;

(iii) in clause (iv) of the proviso, the following shall be added, namely:—

“The Assessing Authority may, however, dispense with the production of the said certificate if he is satisfied from other evidence adduced that the industry has actually been in the production during

the relevant period and the sale of goods manufactured, processed or assembled by such industry have been duly claimed in the quarterly return filed as per the provisions of the said Act, within the time limit prescribed”.

(iv) after existing proviso, the following proviso shall be added, namely:-

“Provided further that considering the nature of process carried out by any of the industries so declared to be of high polluting nature, the State Government may, on the advice of the State Pollution Control Board that the process carried out by such industry is pollution free, extend the benefit of exemption under this entry to such industry for such period and on such conditions as it may deem fit”.

By order and in the name of the Governor of Goa.

S. V. Madkaikar, Under Secretary (Finance-Exp).

Panaji, 14th July, 1995.